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FACSIMILE TRANSMITTAL LETTER

Date: March 3, 2005 Time: _____ AM/PM
TO: Examiner Michael Chambers of the USPTO
FROM: Thomas J. Perkowski, Esq., P.C.
RE: USSN # 10/829,469
Number of Pages Being Sent Including This Transmittal Letter : 12
Client-Matter Number: 121-001USANB0
Transmitted to Facsimile Number: 571-273-4407
Comments: _____

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MAR 03 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Applicants	:	Raymond J. O'Neill and Raymond J. O'Neill, Jr.
Serial No.	:	10/829,469
Filed	:	April 21, 2004
Title of Invention	:	TRANSPORTABLE BASKETBALL SYSTEM HAVING WIND-TRANSMISSIVE MESH BACKBOARD STRUCTURE AND SAND-ANCHORABLE POST ASSEMBLY WITH THREADS AND HANDLES FOR SAFE, SIMPLE AND QUICK INSTALLATION ALONG BEACHES, SHORELINES AND OTHER SAND- COVERED OUTDOOR ENVIRONMENTS
Examiner	:	Michael Chambers
Group Art Unit	:	3711
Attorney Docket	:	121-001USANB0

Honorable Commissioner of Patents
and Trademarks
Washington, DC 20231

TRANSMITTAL OF TERMINAL DISCLAIMER (37 CFR 1.321(c))

SIR:

Attached for entry in the above-referenced Application is a Terminal Disclaimer signed under the provisions of 37 C. F. R. Section 1.321(b)(1)(iv), that provisionally disclaims the terminal period of any patent issuing on the above-referenced application that would extend beyond the expiration of the full statutory term of any patent that issues from U.S. Patent No. 6,575,853.

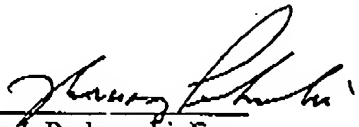
Also attached for entry in the above-referenced Application is a Terminal Disclaimer signed under the provisions of 37 C. F. R. Section 1.321(b)(1)(iv), that provisionally disclaims the terminal period of any patent issuing on the above-referenced application that would extend beyond the expiration of the full statutory term of any patent that issues from U.S. Patent No. 6,743,125.

Attached as well is a Supplemental Information Disclosure Statement and 1449 Form for entry in the above-referenced U.S. Application.

The Commissioner is hereby authorized to charge the requisite disclaimer fees of \$130.00, as well as any fee deficiencies or overpayments to Deposit Account 16-1340. Applicants still qualify as a small entity for the purpose of paying reduced fees in the USPTO.

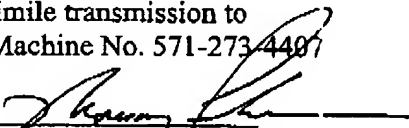
Respectively submitted,

Dated: March 3, 2005


Thomas J. Perkowski, Esq.
Reg. No. 33,134
Attorney for Applicants
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CERTIFICATE OF FACSIMILE SERVICE UNDER
37 CFR 1.06(d)

I hereby certify that this correspondence
is being deposited with
Examiner Michael Chambers of the USPTO,
Washington, DC 20231
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Thomas J. Perkowski, Esq.
Date: March 3, 2005

PTO/SB/28 (05-04)

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REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

121-001USAN30

In re Application of:

Application No.: 10/229,489

Filed: April 21, 2004

For: TRANSPORTABLE BASKETBALL SYSTEM HAVING WIND-TRANSMISSIVE MESH BACKBOARD STRUCTURE AND
SAND-ANCHORABLE POST ASSEMBLY WITH THREADS AND HANDLES FOR SAFE, SIMPLE AND QUICK INSTALLATION...

The owner, Raymond J. O'Neill and Raymond J. O'Neill Jr., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,743,125 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

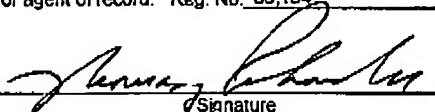
- expires for failure to pay a maintenance fee;
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Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 33,134



Signature

March 3, 2005

Date

Thomas J. Perkowski, Esq.

Typed or printed name

203-357-1950
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

121-0x1USAN80

In re Application of:

Application No.: 10/829,469

Filed: April 21, 2004

For: TRANSPORTABLE BASKETBALL SYSTEM HAVING WIND-TRANSMISSIVE MESH BACKBOARD STRUCTURE AND
SAND-ANCHORABLE POST ASSEMBLY WITH THREADS AND HANDLES FOR SAFE, SIMPLE AND QUICK INSTALLATION...

The owner*, Raymond J. O'Neill and Raymond J. O'Neill Jr., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,575,853 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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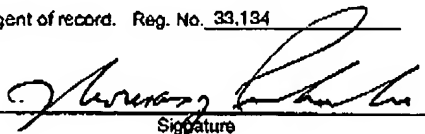
- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 33,134



Signature

March 3, 2005

Date

Thomas J. Parkowski, Esq.

Typed or printed name

203-357-1950

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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